

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Maria Rose Burgess

Plaintiff(s)

vs.

CASE NUMBER: 5:22-cv-495 (ML)

Kilolo Kijakazi

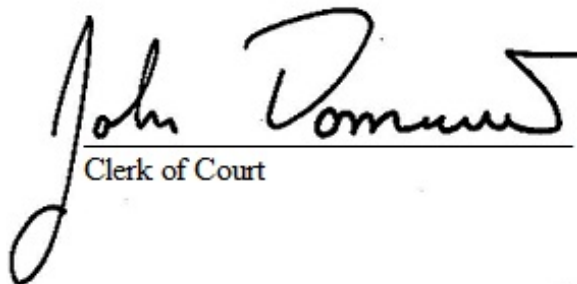
Defendant(s)

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: ORDER granting CONSENT ORDER TO REMAND PURSUANT TO SENTENCE 4 OF 42 U.S.C. § 405(g). ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action; and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); and it is further ORDERED that nothing within this consent order shall be deemed to bar Plaintiff from seeking attorneys fees under the Equal Access to Justice Act (EAJA), 42 U.S.C. § 2412.

All of the above pursuant to the order of the Honorable Miroslav Lovric, dated the 25th day of October, 2022.

DATED: October 25, 2022


Clerk of Court

s/Kathy Rogers
Deputy Clerk